

REMARKS

Claims 1-29 are pending in the application, with Claims 1, 8, 15, and 22 as independent claims. The Examiner has rejected the claims as follows: Claims 1-3, 6-7, 8, 14, 15-17, and 20-21 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,490,351 B1 to Roberts; and Claims 4-5, 9-13, 18-19, and 22-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,490,351 B1 to Roberts in view of U.S. Patent No. 6,526,293 B1 to Matsuo.

As an initial matter, it is noted that the patent date of Roberts (December 3, 2002) is earlier than the priority date of the present invention (January 16, 2003), and therefore the Claims rejected under 35 U.S.C. §102(e) should be rejected under §102(a).

Regarding the §102(e) rejection of independent Claim 1, at the very least, Roberts does not teach “a sterilizer being driven by the charging current received from the charging current generator and sterilizing the battery and the mobile phone at predetermined intervals.” The Examiner states that Roberts allegedly discloses “a sterilizer (22, fig. 7) being driven by the charging current from the charging current generator” at col. 2, lines 40-46; col. 3, lines 11-13, lines 32-36; col. 4, lines 22-31, lines 60-65; and col. 8, lines 33-65. (Office Action, middle of page 2). However, Roberts instead teaches “the entire unit plugs into normal household current 64.” (col. 8, lines 63-64). As shown in Figure 7, Roberts’ UV lamps 22 in charging stand 76 receive a household current 64, which passes through a contact switch 16 and a sterilizer circuit 18, but does not pass through a charging generator outputting a charging current. Further, Roberts does not teach, disclose, or suggest “sterilizing the battery and the mobile phone at predetermined time intervals”. Roberts instead discloses, “With the telephone handset 10 is in the telephone handset cradle, sterilizer switch 16 is actuated,” and further discloses, “As noted above, upon expiration of the preset time of the timing circuit 18,

UV lamps 22 are extinguished.” (Roberts, col. 6, lines 48-49 and 54-56). As stated in page 19, lines 1-5 of the present application, sterilization at predetermined time intervals prevents a discoloration of the mobile terminal that results from a conventional continuous sterilization. Roberts discloses only a single continuous time period for sterilizing the handset instead of periodic sterilizations occurring at a predetermined time intervals. Therefore, Roberts fails to anticipate the limitation quoted above. Accordingly, Roberts fails to anticipate Claim 1. Based on at least the foregoing, withdrawal of the rejection of Claim 1 is respectfully requested.

Regarding the §102(e) rejection of independent Claim 8, the Examiner states that Roberts allegedly discloses “sterilizing the mobile phone at predetermined time intervals using the charging current.” (Office Action, top of page 3). As stated above, Roberts does not teach “using the charging current”, but instead teaches “the entire unit plugs into normal household current 64.” (col. 8, lines 63-64). Further, Roberts does not teach, disclose, or suggest “sterilizing the mobile phone at predetermined time intervals”. As stated above, Roberts discloses only a single, continuous, sterilization period. Therefore, Roberts fails to anticipate the limitation quoted above. Accordingly, Roberts fails to anticipate Claim 8. Based on at least the foregoing, withdrawal of the rejection of Claim 8 is respectfully requested.

Regarding the §102(e) rejection of independent Claim 15, the Examiner states that Roberts allegedly discloses “a sterilizer for generating a wavelength signal corresponding to the charging current after the mobile phone is mounted to the charging connector, and sterilizing the mobile phone mounted to the charging connector at predetermined time intervals.” (Office Action, middle of page 3). As stated above, Roberts instead teaches “the entire unit plugs into normal household current 64.” (col. 8, lines 63-64). Further, Roberts does not teach, disclose, or suggest “sterilizing the mobile phone mounted to the

charging connector at predetermined time intervals". As stated above, Roberts discloses only a single, continuous, sterilization period. Therefore, Roberts fails to anticipate the limitation quoted above. Accordingly, Roberts fails to anticipate Claim 15. Based on at least the foregoing, withdrawal of the rejection of Claim 15 is respectfully requested.

Regarding the §103(a) rejection of independent Claim 22, the Examiner states that Roberts allegedly discloses "determining if the mobile phone is mounted to the mobile phone charger" and further discloses "determining whether the mobile phone receives charging status information indicative of a charging function active/inactive state of the battery and executing a sterilization function of the mobile phone." (Office Action, bottom of page 6 to top of page 7).

However, Roberts teaches only a single determination, where "timing/sterilizing time circuit 18 is actuated when contact switch 16 senses the wireless/cellular telephone is in the charger stand." (col. 8, lines 59-62), but does not teach or suggest determining whether the mobile phone receives charging status information indicative of a charging function active/inactive state of the battery and executing a sterilization function of the mobile phone." Further, Matsuo does not cure the deficiencies of Roberts. All of the claimed features of independent Claim 22 are not taught or suggested by the combination of Roberts and Matsuo or by either reference alone. Accordingly, a prima facie case of obviousness with respect to Claim 22 has not been established. Based on at least the foregoing, withdrawal of the rejection of Claim 22 is respectfully requested.

Independent Claims 1, 8, 15, and 22 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-7, 9-14, 16-21, and 23-29, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of

the rejections of dependent Claims 2-7, 9-14, 16-21, and 23-29 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-29 are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



Paul J. Farrell

Reg. No. 33,494

Attorney for Applicant

THE FARRELL LAW FIRM, PC

333 Earle Ovington Blvd., Suite 701

Uniondale, New York 11553

Tel: (516) 228-3565

Fax: (516) 228-8475